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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,
MAVORCO HOLDINGS, LLC, a
Delaware limited liability company,
MAVORCO IP, LLC, a Delaware limited
liability company, and MAVORCO
OPERATIONS, LLC, Delaware limited
liability company,

Defendants.

Civil No. 2:25-cv-00096-DBP

Judge Robert J. Shelby

**MOTION FOR EXTENSION OF TIME TO FILE MEMORANDUM OPPOSING
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Relief Sought

Pursuant to FRCP 6 and DUCivR 7-1 Defendants Mavorco Holdings, LLC, Mavorco IP, LLC, and Mavorco Operations, LLC (collectively “Mavorco”), by and through counsel, respectfully move this Court for a 14-day extension of time to file a memorandum in opposition to Plaintiff’s Motion for Preliminary Injunction. Pursuant to DUCivR 7-1 (a)(4)(C)(iii), a response to a motion under Rule 65 must be filed within 14 days after service of the motion. The deadline for Mavorco to file a memorandum opposing the Motion for Preliminary Injunction is currently April 10, 2025. The court has not granted any previous extensions of this deadline.

Grounds for Relief

As grounds for this motion, Mavorco states the following: The complexity and length of the Motion for Preliminary Injunction and its numerous supporting exhibits are so voluminous that Mavorco’s counsel cannot prepare an appropriate memorandum opposing the Motion in the time available.

It is entirely reasonable for Mavorco to request a 14-day extension—beyond the default 14-day response period—for a total of 28 days to respond to the motion for a preliminary injunction. Litigation regarding the use of the BLENDJET trademark between Blendjet and Blendtec has been ongoing since 2021, and the alleged urgency of the preliminary injunction now, years later, is questionable—especially considering that Blendtec waited nearly seven weeks after citing a February 10, 2025 advertisement as the catalyst for their motion. The Franklin likelihood of confusion survey relied on in their motion was conducted in mid-2023. The purported evidence of confusion cited by Blendtec in its motion primarily dates from 2020-2021. That delay undermines any claim that immediate relief is

essential and suggests Mavorco should be afforded adequate time to prepare a meaningful response.

Moreover, Mavorco and its counsel are new to the case and are being asked to respond to a voluminous motion that includes hundreds of pages of exhibits and an expert report analyzing multiple market studies. To respond effectively, Mavorco must review years of litigation history, gather documents, interview witnesses, potentially retain its own expert, and submit sworn declarations. To date, Blendtec has not provided Mavorco with underlying documents supporting its motion, such as complete responses to Professor Franklin's survey or all documents referred to in its declarations, further impairing Mavorco's ability to respond rapidly. Blendtec relies on what appear to be uncertified transcripts of phone calls but the calls themselves have not been provided to Mavorco. Given the complexity and scope of the motion, along with the fact that Blendtec had years to prepare its submission, allowing Mavorco an additional two weeks is a reasonable and necessary accommodation to ensure a fair and informed response. Denying such an extension would be unfairly prejudicial.

Counsel for Blendtec has indicated to Mavorco that they object to the extension.

Conclusion

Based on these reasons, counsel seeks a 14-day extension to **April 24, 2025** to file a memorandum in opposition to the Motion for Preliminary Injunction. Mavorco requests that the Court grant the motion and enter an order extending the time to file a memorandum in opposition to Plaintiff's Motion for Preliminary Injunction by 14 days until **April 24, 2025**.

Respectfully submitted, this 3rd day of April, 2025.

/s/ Kathryn Tunacik

George Hofmann

Kathryn Tunacik

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2025, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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